

REMARKS

Claims 1-4, 6, 7 and 11-20 are pending and are rejected. Reconsideration is respectfully requested.

The 35 U.S.C. § 112 Rejections

Claim 4 is rejected as failing to comply with the written description requirement.

Claim 4 has been amended to recite that the anode is porous. This is supported in the specification in paragraph 22. Therefore the rejection should be withdrawn.

Claims 3 and 20 are rejected as being indefinite. Claims 3 and 20 have been amended to provide clarification. Therefore the rejection should be withdrawn.

The 35 U.S.C. § 103 Rejections

Claims 1-3, 6, 7 and 12-17 are rejected as being unpatentable over Mogensen in view of EP '356 or Van Herle et al. and Wallin. The rejection is respectfully traversed.

Claims 1 and 12 have been amended to include the limitations of claim 11 and should therefore be allowable. Claims 2, 3, 6 and 7 depend from claim 1. Claims 13-17 depend from claim 12. Therefore the rejection should be withdrawn.

Claim 4 is rejected as being unpatentable over Mogensen in view of Wallin and either EP '356 or Van Herle et al. as applied to claims 1-3, 6, 7 and 12-17 above, and further in view of Visco or Mazanec. The rejection is respectfully traversed.

Claim 4 should be allowable because it depends from claim 1 as discussed above. Therefore the rejection should be withdrawn.

Claims 18-20 are rejected as being unpatentable over Mogensen in view of Wallin and either EP '356 or Van Herle et al. as applied to claims 1-3, 6, 7 and 12-17 above, and further in view of Yajima. The rejection is respectfully traversed.

Claims 18-20 depend from claim 12 which should be allowable as discussed above. Therefore the rejection should be withdrawn.

### Conclusions

It is submitted that this application is in condition for allowance based on claims 1-4, 6, 7 and 12-20 in view of the amendments thereto and the foregoing comments.

If any impediments remain to prompt allowance of the case, please contact the undersigned at 808-875-0012.

Respectfully submitted,



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